



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**David S. Mandel**  
**Mandel & Mandel LLP**  
**1200 Alfred I. duPont Building**  
**169 East Flagler Street**  
**Miami, Florida 33131**

**OCT 30 2009**

**RE: MUR 5903**  
**James Breland**

**Dear Mr. Mandel:**

On September 11, 2007, the Federal Election Commission ("Commission") found reason to believe that James Breland knowingly and willfully violated 2 U.S.C. § 441f and authorized an investigation. On October 20, 2009, the Commission considered the recommendations of the Office of General Counsel based upon the investigation but was equally divided on whether to further pursue this matter, including whether to take no further action as to Mr. Breland. Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). One or more Statements of Reasons explaining the Commission's decision will follow.

If you have any questions, please contact Jin Lee, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to be "JM" or similar, written over a horizontal line.

**Assistant General Counsel**  
**Julie McConnell**

29044253734